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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/742,304	12/18/2003	Rami Caspi	2003P15311US	5669
7590 Siemens Corporation Attn: Elsa Keller Legal Administrator Intellectual Property Department 170 Wood Avenue South Iselin, NJ 08830			EXAMINER ADDY, THUAN KNOWLIN	
			ART UNIT 2614	PAPER NUMBER
			MAIL DATE 02/02/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/742,304

Applicant(s)

CASPI ET AL.

Examiner

THJUAN K. ADDY

Art Unit

2614

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 13-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 13-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/808)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on November 19, 2008 has been entered. Claims 6 and 7 have been amended. Claims 8-12 and 20-34 have been cancelled. No claims have been added. Claims 1-7 and 13-19 are still pending in this application, with claims 1 and 13 being independent.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Slusky (US 5,487,111).
3. In regards to claims 1 and 13, Slusky discloses a system (See Fig. 1) and method comprising: a first telephone (See Fig. 1 and station S1); a plurality of other telephones (See Fig. 1 and stations S2, S3, and S4) associated with the first telephone, the first telephone capable of managing separate telephone calls simultaneously conducted by the first telephone and the plurality of other telephones associated with the first telephone (See Abstract and col. 5 lines 35-62); and a computing device (See Fig. 1 and interface terminal/computer 160/60) coupled to the first telephone, the

computing device to determine a telephone call received by the first telephone from a first one of the plurality of telephones is intended for a second one of the plurality of other telephones based on user-specified rules (e.g., subscriber record, See col. 3 lines 25-30) and to selectively route telephone call signals of the telephone call received by the first telephone to the first telephone and the plurality of other telephones based on user-specified rules (See col. 10 lines 40-65).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-7 and 14-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slusky (US 5,487,111), in view of Brahm et al. (US 7,103,167).
5. In regards to claims 2 and 14, Slusky discloses the limitations of claims 2 and 14, however, Brahm more clearly and specifically disclose a system and method, wherein the first telephone (See Fig. 1 and called party's telephone terminal 112) is to receive the telephone call, and to transmit the telephone call signals to the computing device (See Fig. 1 and called party's computer terminal 110 and client application 116) before the computing device selectively routes the telephone call signals to the first telephone (See col. 8-9 lines 58-5, col. 9 lines 14-18, and col. 9 lines 22-25). Therefore, it would

have been obvious for one of ordinary skill in the art at the time of the invention to incorporate these features within the method, as a way of providing user-definable call screening and call routing processes.

6. In regards to claims 3 and 15, Slusky discloses all of claims 3 and 15 limitations, except the system and method, wherein the computing device is to receive the telephone call signals from a computer network. Brahm, however, does disclose wherein the computing device is to receive the telephone call signals from a computer network (See Fig. 1 and Internet Answering Machine (IAM) system (124) via Internet 106) (See col. 12-13 lines 57-17 and col. 13 lines 27-47).

7. In regards to claims 4 and 16, Slusky discloses a system and method, the computing device to present a user interface for defining the user-specified rules (See col. 3 lines 25-30 and col. 10 lines 40-65).

8. In regards to claims 5 and 17, Slusky discloses a system and method, the user-specified rules comprising rules associated with telephone call signals to be received by the first telephone (See col. 3 lines 25-30).

9. In regards to claims 6 and 18, Slusky discloses a system and method, the telephone call signals to be received from the plurality of telephone (See Abstract and col. 5 lines 35-62).

10. In regards to claims 7 and 19, Slusky discloses a system and method, the user-specified rules comprising rules associated with telephone call signals to be received by the telephone and rules associated with the telephone call signals to be sent from the plurality of telephones (See Abstract, col. 3 lines 25-30, and col. 5 lines 35-62).

Response to Arguments

11. Applicant's arguments filed 11/19/2008 have been fully considered but they are not persuasive.

12. Applicants argue that Slusky does not appear to disclose the claimed aspect of the first telephone capable of managing separate telephone calls simultaneously conducted by the first telephone, and that there is no disclosure of the telephone managing or being capable of managing separate telephone calls simultaneously conducted by the first telephone.

13. In response to the above arguments, Examiner respectfully disagrees. Slusky does disclose the first telephone (See Fig. 1 and station S1) capable of managing separate telephone calls simultaneously conducted by the first telephone (See Abstract and col. 5 lines 35-62). Furthermore, the claims do not recite the telephone "managing" separate telephone calls simultaneously conducted by the first telephone. The claims merely recite the telephone "**capable** of managing" separate telephone calls simultaneously conducted by the first telephone. Therefore, as currently written, the claims only indicate that the "first telephone" is "capable" of managing separate telephone calls simultaneously conducted by the first telephone. The claims, as currently written, do not indicate the "first telephone" as "managing" separate telephone calls simultaneously conducted by the first telephone.

14. Applicants further argue that Slusky fails to disclose (or even suggest) the claimed aspect of "the computing device to determine a telephone call received by the first telephone from a first one of the plurality of telephones is intended for a second one

of the plurality of other telephones", And that there is no disclosure in Slusky of a determination of "a telephone call received by the first telephone from a first one of the plurality of telephones" that "is intended for a second one of the plurality of other telephones", because each of the calls in Slusky is made to the phone number for which the call is intended.

15. In response to the above arguments, Examiner respectfully disagrees. The claims recite "a computing device coupled to the first telephone, the computing device to determine a telephone call received by the first telephone from a first one of the plurality of telephones is intended for a second one of the plurality of other telephones based on user-specified rules and to selectively route telephone call signals of the telephone call received by the first telephone to the first telephone and the plurality of other telephones based on user-specified rules". The claims recite "a telephone call received by the first telephone from a first one of the plurality of telephones is intended for a second one of the plurality of other telephones..." The claims do not indicate whether or not the telephone call received by the first telephone was "intended" for that particular telephone or not. Therefore, "a telephone call received by the first telephone... and intended for a second one of the plurality of other telephones..." may each be calls intended for a particular phone number.

Conclusion

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
17. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.
18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to THJUAN K. ADDY whose telephone number is (571)272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.
19. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

20. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thjuan K. Addy/
Primary Examiner, Art Unit 2614